REMARKS

Claims 1-5 and 7-18 are currently pending in the present application. Claims 1, 3-5 and 7 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. Claims 5-18 were rejected under 35 U.S.C. §101, as being directed to non-statutory subject matter. Claims 1-4 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication 2005/0050011 (Van Der Linden) in view of U.S. Patent Publication 2004/0098384 (Min). Claims 5 and 8 were rejected under 35 U.S.C §103(a) as being unpatentable over "A New Query Processing Technique for XML Based on Signature" (Park) in view of U.S. Patent No. 6,542,911 (Chakaborty). Claims 9-18 were rejected under 35 U.S.C. §103(a) as being unpatentable over Park in view of "Practical C++" (McGregor).

The finding of allowable subject matter in Claim 6 and 7 is gratefully acknowledged.

Claim 6 has been cancelled without prejudice.

Regarding the rejection under 35 U.S.C. §112, second paragraph, of Claims 1, 3-5, and 7, these Claims have been amended to overcome the rejection. Withdrawal of the rejection under 35 U.S.C. §112, second paragraph, of Claims 1, 3-5, and 7 is respectfully requested.

Regarding the rejection under 35 U.S.C. §101 of Claims 5-18, independent Claims 5, 9, and 14 have been amended to overcome the rejection. Withdrawal of the rejection under 35 U.S.C. §112, second paragraph, of Claims 5-18 is respectfully requested.

Regarding the rejection under 35 U.S.C. §103(a) of independent Claim 1, Claim 1 has been amended to include the allowable subject matter of Claim 6 and is further distinguished.

Van Der Linden teaches a method and system for querying a structured document stored in its native format in a database, where the structured document includes a plurality of nodes that form a hierarchical node tree.

Min teaches a method of processing a query about an Extensible Markup Language (XML) data.

In contrast, amended Claim 1 includes the recitation of providing a usefulness matrix for calculating a usefulness of each of said hints, wherein for a pre-defined parameter $0 \leq \alpha \leq 1$, the usefulness of the hint is calculated as $Usf_{h(l,c,t)} = (1+ \alpha \times semW_{h(l,c,t)}) \times Usf_{h(l,c,t)}$, where $semW_{h(l,c,t)}$ is a semantic weight and $sUsf_{h(l,c,t)}$ is a structural usefulness of the hint, which is neither taught nor suggested by Linden or Min. Accordingly, withdrawal of the rejection under 35 U.S.C. §103(a) of Claim 1 is respectfully requested.

Regarding the rejection under 35 U.S.C. §103(a) of independent Claim 5, Claim 5 has been amended to include the allowable subject matter of Claim 6. Accordingly, withdrawal of the rejection under 35 U.S.C. §103(a) of Claim 5 is respectfully requested.

Regarding the rejection under 35 U.S.C. §103(a) of independent Claim 9, Claim 9 has been amended to include the allowable subject matter of Claim 6 and is further distinguished.

Park teaches XML represented as a tree and a query as a regular path expression.

McGregor teaches a truth table composed in C++.

In contrast, amended Claim 9 includes the recitation of providing a usefulness matrix for calculating a usefulness of each of said hints, wherein for a pre-defined parameter $0 \leq \alpha \leq 1$, the usefulness of the hint is calculated as $Usf_{h(l,c,t)} = (1+ \alpha \times semW_{h(l,c,t)}) \times Usf_{h(l,c,t)}$, where $semW_{h(l,c,t)}$
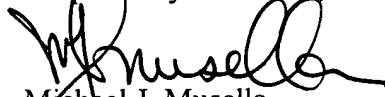
is a semantic weight and $sUsf_{h(l,c,t)}$ is a structural usefulness of the hint, which is neither taught nor suggested by Park or McGregor. Accordingly, withdrawal of the rejection under 35 U.S.C. §103(a) of Claim 9 is respectfully requested.

Regarding the rejection under 35 U.S.C. §103(a) of independent Claim 14, Claim 14 has been amended to include the allowable subject matter of Claim 6 and similar recitations as contained in Claim 9. Accordingly, it is respectfully submitted that Claim 14 is patentably distinct for at least the same reasons as stated above with respect to the rejection of Claim 9. Withdrawal of rejection of Claim 14 is respectfully urged.

Independent Claims 1, 5, 9 and 14 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2-4, 7-8, 10-13 and 15-18, these are likewise believed to be allowable by virtue of their dependence on their respective amended independent claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 2-4, 8, 10-13 and 15-18 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-5 and 7-18 are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,

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